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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

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| Michael C. Bauerlein, surviving natural<br>father of Brooke Lynne Bauerlein, et. al., | No. CV-04-1904-PHX-SMM |
| Plaintiffs,   | <b>ORDER</b>           |
| v.  |                        |
| Equity Residential Properties Management<br>Corporation, et al.                       |                        |
| Defendants.   |                        |

Pending before the Court is Plaintiff's Motion to Strike the Answer of Co-Defendant Jumbo Surplus Corporation, Ltd. and enter default judgment against Jumbo pursuant to Rule 55(a), Fed. R. Civ. P. (Doc. 286).

In this Court's Order of May 8, 2007, the Court ordered that "Defendant Jumbo shall have thirty (30) days from the entry of this Order to file a Notice of Appearance of its new counsel with the Court. Failure to secure counsel will result in the Court striking Jumbo's answer and the entry of default against Jumbo." Plaintiffs are correct that since that time, no counsel has filed a Notice of Appearance on behalf of Jumbo in this matter. Because Jumbo is a corporation, under *Licht v. America West Airlines*, 40 F.3d 1058, 1059 (9th Cir. 1994), Jumbo is not permitted to appear in this matter unless it is represented by counsel.

The thirty days has expired, and therefore, Plaintiffs are entitled to seek such relief from this Court. Furthermore, the Court will schedule an evidentiary hearing to determine the amount of damages that might be owed by Jumbo Surplus Corporation, Ltd.

Accordingly,

